

(810) 649-3333
3001 W BIG BEAVER ROAD, SUITE 814, TROY, MICHIGAN 48064-3109
LAW OFFICES YOUNG, MACFARLANE & WOOD, P.C.
[key means] for selecting a particular field of pre-defined data on the displayed screen, the second field select keys [key means] comprising two directional tab keys for scrolling in opposite directions through the fields on the displayed screen, and third screen-dependent value select keys [key means] for selectively recording or altering the selected data in the selected field, the third value select keys [key means] comprising two directional scroll keys for scrolling in opposite directions through the pre-defined data associated with the field on the displayed screen.

3. (Amended) Apparatus as defined in claim [2]1, wherein the entry key permits changing of the screens in sequential fashion, and the first key means further includes choice means for non-sequential selection or changing of screens.

Claim 15, line 23, delete "displaying" and insert -- selecting--;

line 24, delete "selectively".

Claim 16, delete both occurrences of the word "detail"; delete the word "higher".

II. Remarks

A. The Examiner's Rejections Under 35 U.S.C. Section 102(e)

Claims 3 and 6 through 9 continue to stand rejected as being anticipated by Barber, U.S. Patent 5,245,537. Examiner's Action, p. 1. As the Examiner set out in the action dated December 12, 1993, "Barber also teaches a keyboard (18)

including cursor director device (60) for selectively displaying screens or choosing a particular field on the displayed screen, save switch (68) for saving golf information for further use."

With all due respect, Applicant submits that the Examiner has mischaracterized Barber. Applicant's claim 3 covers an "entry key [which] permits changing screens in sequential fashion" and "choice means for non-sequential selection or changing of screens." In contrast, the cursor director device (60) of Barber has no screen selection function. Col. 5, lines 13-18. Its sole utility is to "provide distance information wherever it is positioned on the displayed fairway or green." *Id.* The screens in Barber are instead selected by entering the corresponding hole number on a **numeric keypad**. Col. 7, lines 52-54.

More importantly, Barber nowhere teaches either "choice means for non-sequential selection" or "choice means" providing a "customized set of screen-changing options" as defined in Applicant's claims 3 and 6. Nor does Barber teach screen selection that is also "screen-dependent," as in Applicant's claim 6. Instead, Barber teaches only screen displays corresponding to the hole being played in the golf game. Col. 7, lines 52-54. And, as stated, Barber's screen displays and information recordation features are **numeric-keypad** dependent, not screen-dependent.

With respect to claims 7 through 9, Barber is also not anticipatory. Applicant's claims are directed to "pre-game parameter recording screen . . . game-interactive recording screens . . . and post-game interactive screens." Claim 7. Applicant's claims 7 through 9 include further limitations of the base claim. But, these limitations aside, the Examiner has already repeatedly admitted that "Barber does not explicitly teach pre-game and game-interactive screens." Examiner's

Action, p. 3. Therefore, there is no anticipation of the present invention.

B. The Examiner's Rejections Under 35 U.S.C. Section 103

The remaining claims, 1 and 10 through 20, stand rejected as being obvious in view of the Barber patent.

1. Claims 1 and 19

With respect to Claims 1 and 19, the Examiner contends:

Barber teaches a device having the first key entry means for selectively displaying screens by a player (col. 7, lines 52-54), the second field keys [sic] means for selecting a particular field of pre-defined data on the screen (see Fig. 6 and a cursor key 60) and third values select key means for displaying and altering data in the selected field (col. 7, lines 58-61). Examiner's Action, p. 1.

With all due respect, the Examiner continues to misconstrue the nature of Applicant's device. The present invention is a self-contained, handheld golf reporting and statistical analysis system. Alteration and recordation of various pre-defined data fields is entirely screen-dependent, with the data alteration, entry, and recordation functions all being driven by **directional key means only**. In contrast, the Barber device teaches functions driven by numeric and single-function keys. (Fig. 4.) The Barber invention is similarly limited in that all evaluation of player performance is done by an isolated central processing unit, precluding the availability of any performance information while a game of golf is being played. (Col. 8, lines 15-23.)

In order to further assist the Examiner in distinguishing between the present invention and the prior art,

Applicant has amended the claims.

Referring to the key entry means of Claim 1, Applicant now recites:

first key means comprising an entry key for selectively displaying screens, second screen-dependent field select keys for selecting a particular field of pre-defined data on the displayed screen...comprising two directional tab keys for scrolling in opposite directions through the fields on the displayed screen, and third screen-dependent value select keys for selectively recording or altering the selected data in the selected field...comprising two directional scroll keys for scrolling in opposite directions through the pre-defined data associated with the field on the displayed screen.

While Barber teaches that a "[p]layer then keys in the hole number...and gets a view of the entire hole," this function is entirely dependent on a numeric keypad and player entry of the number corresponding to the hole to be viewed. Col. 7, lines 52-54. In contrast, Applicant's claimed "first key means" for selectively displaying various screens comprises "an entry key".

Similarly, that function which the Examiner characterizes in Barber as teaching Applicant's second field select keys is only a cursor which provides preset, unalterable distance data wherever it is positioned on the screen. (Col. 5, lines 16-17.) Such a function does not teach Applicant's claimed "second field select keys...comprising two directional tab keys for scrolling in opposite directions through the fields on the displayed screen." Claim 1. In particular, the

LAW OFFICES YOUNG, MACFARLANE & WOOD, P.C., 3001 W. BIG BEAVER ROAD, SUITE 624, TROY, MICHIGAN 48064-5109 (810) 849-3333

Examiner's attention is drawn to the fact that the functionality of the second field select keys is directly related to the function of the third value select keys of the present device:

third screen-dependent value selects keys for selectively recording or altering the selected data in the selected field. Claim 1.

In other words, recordation or alteration of data by the third screen-dependent directional keys is directly related to the use of the second screen-dependent directional keys. This association between the value select key means and the field select key means is nowhere found in Barber, where the club-input numeric keypad and other data entry keys have no screen-dependent functions. Rather, Barber teaches only that club selection data is entered via a numeric keypad. (Col. 7, lines 58-60.)

In spite of these distinctions, the Examiner also asserts that "it would have been obvious...to move cursor on the display by using a keyboard having up-down arrows and left-right arrows in order to retrieve and enter data." Examiner's Action, p. 1. With all due respect, however, such a teaching is nowhere found in the prior art.

As discussed, Barber teaches functionally specific informational keys and numeric keypad entry means. (Fig. 4). In Applicant's invention, however, screen selection, data selection, data entry, and data recordation are all screen-dependent functions driven simply by directional keys. If anything, therefore, Barber directs one of skill in the art away from the present invention.

2. **Claims 10, 12, 15 and 20**

The Examiner has rejected claims 10, 12 and 20 on the

grounds that it "would have been obvious...to select one of the game-interactive screens for entering or changing data while the game...is being played." Examiner's Action, p. 3. Further, the Examiner suggests that, although "Barber does not explicitly teach a pre-game and game-interactive screens," one of ordinary skill in the art would have had motivation to invent such screens. *Id* (emphasis added). With all due respect, the Examiner offers no support in the prior art for his contentions.

Applicant claims "subsequently providing a choice among a plurality of game-interactive recording screens for recording data during the game defined by the parameters entered in the pre-game screens." Claim 10. From this it can be seen that the data recorded in the game-interactive recording screens is dependent on the parameters defined in the pre-game screens. Yet, the Examiner has repeatedly admitted that "Barber does not explicitly teach" either "screen-dependent data input fields" or "pre-game and game-interactive screens." *Id*. Nor is there a teaching in Barber of "displaying a choose [sic] game-interactive recording screen." Examiner's Action, p. 1. Thus, the Examiner's suggestion that "it would have been obvious to...select one of the game-interactive screens for entering or changing data while the game...is being played" is without foundation in the prior art. The motivation to define game parameters in pre-game interactive screens is simply absent in the prior art.

3. **Claims 11, 13 and 14**

As the Examiner stated in his first rejection of claims 11, 13 and 14, "it would have been obvious [from the teaching of Barber]...that post games data is stored. Also since a player's performance is stored before playing a game a golfer would

likely review his past performance. This past performance may be regarded as pre-game data or future data."

But the Examiner misconstrues the nature of Applicant's claimed pre-game data. Claim 13 defines the pre-game data as "information entered in the pre-game screen [comprising] golf play parameters defining the scope of a game to be played." Unlike Barber, these data are not limited to statistics regarding past performance. Rather, they establish the boundaries within which future data are recorded and evaluated. As such, they are not equivalent to past-performance data.

Applicant's claim 14 encompasses selection and entry of the golf-play parameters in the pre-game mode, and entry of the golf-play data values in the game-interactive mode. The Examiner suggests that such a plurality of screens for entering golf data statistics would have been obvious, based on a motivation "to enable the user to keep track the results of the golf games as well as player's performance data". Examiner's First Action, p. 4. As the Examiner is aware, motivation alone does not define obviousness. Instead, motivation must be preceded by some teaching in the prior art. But the Examiner has already admitted that Barber does not teach "a plurality of screens." Examiner's First Action, p. 3. Nor, as discussed above, does Barber teach selection of golf play parameters in a pre-game mode, as in Applicant's claim 14. Finally, Barber utterly fails to teach the claimed selection and entry of data values in a game-interactive mode.

What Barber does teach is that club data is entered. (Col. 7, lines 58-60.) After a game of golf is played, a central processing unit receives information from the Barber device and compiles data pertaining to player performance during the most recently played game of golf. (Col. 8, lines 15-19;

Fig. 9.) But these features are hardly obviating of those found in Applicant's claim 14, especially in light of the Examiner's above-noted admissions.

4. **Claim 16**

Claim 16 stands rejected on the grounds that "one skilled in the art would have concluded that the displaying of all relevant information for a particular green is in essence similar to the claimed 'reporting' since the phrase reporting implies 'displaying to' or 'describing the contents of' the particular subject of interest." Examiner's Action, p. 4. The Examiner bases this conclusion on the assertion that Barber teaches "a game first interactive screen...which illustrates a first level of recording of the fairway" and "a second screen of an enlarged view of a particular green...."Id.

Respectfully, the Examiner has confused the language of Applicant's Claim 16. Applicant claims "a first screen with a first level of recording, and a second screen with a second level of reporting." Claim 16 (*emphasis added*). Thus, data from a particular field is selected and recorded in the first screen, while the second screen provides a second level of reporting based on the data selected and recorded in the first screen.

Barber teaches no similar function. While the Examiner correctly states that Barber teaches a first screen which illustrates the fairway, and a second screen illustrating in more detail the associated green, the claimed elements of recording and reporting are ultimately lacking. The detailed illustration of the green in the Barber device does not provide the Applicant's claimed reporting function, since the first Barber screen fails to provide for the recordation of reportable

data.

Thus, the prior art lacks any express or implied teaching of Applicant's Claim 16.

5. Claims 17 and 18

Regarding claims 17 and 18, the Examiner urges that the "use of means to select the particular data (including screens) is well known in the art." Examiner's Action, p. 4. Again, however, the Examiner's claims are not supported by the art of record.

With all due respect, Barber's taught numeric-keypad screen selection means lacks correspondence to a number of functions clearly defined in Claims 17 and 18. The present invention is not directed simply to any selection means. Rather, Applicant's Claims 17 and 18 define the **non-sequential** selection of **option screens** from both **pre-game** and **game-interactive** screens. While Barber teaches that a display of the hole being played in a golf game is selected by entering the number corresponding to the hole on a numeric keypad, the Examiner has admitted that Barber does not teach a plurality of pre-game and game-interactive screens. Examiner's Action, p. 3. Nor does Barber teach either **option screens** or **non-sequential** screen selection. As such, it does not provide a basis for rejecting Applicant's claimed invention.

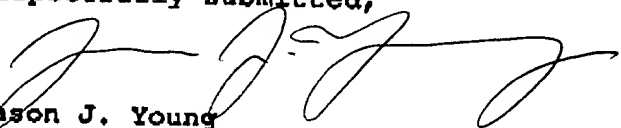
II. Conclusion

In view of the foregoing remarks, as well as the amendments made to the claims, it is respectfully submitted that the above-identified application is in condition for immediate allowance.

In the interim, the Examiner is invited to call the

Applicant's undersigned counsel at (313) 662-0270 should he have any questions or comments.

Respectfully submitted,


Jason J. Young
Reg. No. 34,048

DATED: January 23, 1995

LAW OFFICES YOUNG, MACFARLANE & WOOD, P.C., 3001 W. BIG BEAVER ROAD, SUITE 624, TROY, MICHIGAN 48064-3102 (810) 648-3323